IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 11
	:	
NEWPAGE CORPORATION, et al.,	:	BK Case No. 11-12804 (KG)
	:	Jointly Administered
Debtors.	:	
_____	:	
	:	
PIRINATE CONSULTING GROUP, LLC	:	
AS LITIGATION TRUSTEE OF THE NP	:	
CREDITOR LITIGATION TRUST,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 16-955-SLR
	:	ADV. No. 13-52520 KG
KADANT SOLUTIONS DIVISION,	:	BAP No. 16-49
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this **9th** day of **November, 2016**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. The issues involved on appeal are narrow and more legal in nature. In addition, the parties have engaged previously in unsuccessful lengthy

settlement discussions and strongly feel that further mediation would not be productive.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter] be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections to this Recommendation will be filed since neither party believes that mediation would be worthwhile.

In addition, the parties request that the following briefing schedule be entered:

Litigation Trustee's Opening Brief	December 20, 2016
Kandant's Answering Brief	January 31, 2017
Litigation Trustee's Reply Brief	February 14, 2017

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thynge
Chief U.S. Magistrate Judge Mary Pat Thynge